IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 966 of 2005

Between:

Shaga Sreedhar Kanth, S/o. Sri Ramulu,
R/o. 10-4-C/966, Addagutta, East Marredpally, Secunderabad.

..... PETITIONER

AND

The Assistant Commissioner of Endowments, Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction, more particularly a Writ in the nature of CERTIORARI calling for the records relating to the impugned proceedings Rc.No.B/3460/04, dated 27-12-2004 of the Assistant Commissioner of Endowments, Secunderabad and the petitioner herein prays that the same may be quashed and pass such other order or orders.

Counsel for the Petitioner: MR.M.VIDYASAGAR

Counsel for the Respondent: GP FOR ENDOWMENTS

The Court at the stage of admission made the following ORDER:

Petitioner challenges the notice dated 27.12.2004 issued by the respondent inviting applications from intending persons for the purpose of constituting a Trust Board to Sri Lakshmi Narasimha Swamy temple, Addagutta. The petitioner contends that the temple was established by his family and through proceedings dated 05.06.1998 the respondent recognized him as the member belonging to the family of founder of the temple. He contends that the temple has no source of income and in the small place left out a vedic school is being run. The gist of the contention of the petitioner is that it is not at all necessary to constitute a Trust Board for the said temple.

Heard learned counsel for the petitioner and learned Government Pleader for Endowments.

It is not in dispute that the temple is registered under Section 6-C of the A.P. Charitable & Hindu Religious Institutions and Endowments Act, 1987. That being the case, it is always open to the respondent to constitute a Trust Board. In fact, it is his duty to constitute such Board so that the temple can be developed. The petitioner has already been recognized as a member of the founder family. Under the provisions of the Act and the Rules framed there under, the petitioner is entitled to be nominated as the Chairman of the Trust. The petitioner can certainly make use of the constitution of the Committee and

take the assistance of the members to evolve the means and methods to improve the status and functioning of the temple. No exception can be taken to the steps initiated by the respondent.

Hence, the writ petition is accordingly dismissed. There shall be no order as to costs.

28.01.2005

ksld

To

1 The Assistant Commissioner of Endowments, Secunderabad.

2 Two C.Cs. to the Government Pleader for Endowments, High Court of A.P., Hyderabad, (OUT).

3 Two C.D. Copies.